



PRACTITIONER'S DOCKET NO. 701826-05 008-CIP

PATENT

1633
#6
10-30-02
P.2,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/23

In re application of: G. Batist, et al.

Application No.: 09/739,223

Group No.: 1633

Filed: 12/18/2000

Examiner: Shan Lin Chen

For: HEX II TUMOR-SPECIFIC PROMOTER AND USES THEREOF

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		Application Number	09/739,223
		Filing Date	12/18/2000
		First Named Inventor	Gerald Batist
		Group Art Unit	1633
		Examiner Name	Shan Lin Chen
Total Number of Pages in This Submission		Attorney Docket Number	701826-050008-CIP

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ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cert. of Mail; Return Receipt Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick (Reg. No. 34,235) NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110
Signature	
Date	10/23/02

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CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

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OCT 30 2002

RESPONSE TO RESTRICTION REQUIREMENT

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In response to the Restriction Requirement mailed on September 24, 2002, Applicants elect Group I with traverse, drawn to tumor specific gene construct comprising a rat HEX II promoter, and a method for tumor selective expression of a gene in a cell by using said gene construct.

FEE AUTHORIZATION

Should any fees be associated with the submission be required, the Commissioner is authorized to such deficiencies to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Date: 10/23/02

Customer No.: 26770

Respectfully submitted,

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